

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
AT BALTIMORE**

IN RE:

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LA MESA RACING, LLC,

*

CASE No.: 07-17069-NVA

DEBTOR.

*

(CHAPTER 11)

* * * * *

CONSENT MOTION FOR CONTINUANCE OF JUNE 14, 2010 HEARINGS UNTIL JULY 19, 2010

Party-in-Interest Stephen A. Vincent ("Vincent"), by his attorneys, hereby moves for the continuance of the scheduled June 14, 2010 hearings in this matter until July 19, 2010, and for cause states:

1. Transamerican Comercial, Ltd. commenced this bankruptcy case on July 31, 2007, by filing an involuntary petition against debtor La Mesa Racing, LLC ("Debtor") for relief under Chapter 7 of Title 11 of the United States Code.

2. On August 20, 2007, the Court entered an *Order Entering Relief Under Chapter 7 on Involuntary Petition and Directing Compliance with Filing Requirements* [Docket No. 9] and an *Order Converting Chapter 7 Case to a Case Under Chapter 11 on Debtor's Request* [Docket No. 10]. Debtor has since acted as a debtor-in-possession pursuant to 11 U.S.C. §§ 1107 and 1108.

3. Zokaite Properties, LP ("Zokaite Properties") filed a proof of claim on October 14, 2009 which is docketed in the claims register as claim number 3 (the "Original Zokaite Properties Proof of Claim").

4. On December 7, 2009, Zokaite Properties filed its *Disclosure Statement of Zokaite Properties, LP* [Docket No. 164] (the "Zokaite Properties Disclosure

Statement”) and its *La Mesa Racing, LLC Chapter 11 Plan of Reorganization* [Docket No. 165] (the “Zokaite Properties Plan”).

5. On December 8, 2009, Vincent filed *Party-In-Interest Steven A. Vincent’s Objection to Proof of Claim Filed by Zokaite Properties, LP* [Docket No. 166] (“First Zokaite Properties Claim Objection”). In response to the First Zokaite Properties Claim Objection, on December 21, 2009 Zokaite Properties filed a proof of claim amending its Original Zokaite Properties Proof of Claim.

6. Vincent separately filed *Party-In-Interest Steven A. Vincent’s Objection to Proof of Claim Filed by Zokaite Properties, LP* [Docket No. 183] (the “Second Zokaite Properties Claim Objection”) and *Party-in-Interest Stephen A. Vincent’s Objection to Disclosure Statement and Plan of Zokaite Properties, LP* [Docket No. 184] (the “Objection to Confirmation”) on January 12, 2010.

7. Together, the First Zokaite Properties Claim Objection and the Second Zokaite Properties Claim Objection are referred to as the “Zokaite Properties Claim Objection.”

8. The Court initially scheduled hearings on the Zokaite Properties Disclosure Statement, the Zokaite Properties Plan, Vincent’s Objection to Confirmation thereto, and the Zokaite Properties Claim Objection for February 22, 2010. The hearings were held but not completed, and the Court continued the hearings until April 21, 2010.

9. In the interim, on March 9, 2010 Vincent filed *Party-in-Interest Stephen A. Vincent’s Objection to Proof of Claim Filed by Jeffrey M. Siskind* [Docket No. 213] (the “Siskind Claim Objection”), in which Vincent objected to a proof of claim filed by Jeffrey

M. Siskind ("Siskind") on December 11, 2007 and docketed in the claims register as claim number 1. The Court scheduled a hearing on the Siskind Claim Objection for April 21, 2010.

10. The April 21, 2010 hearings on the Siskind Claim Objection, the Zokaite Properties Disclosure Statement, the Zokaite Properties Plan, Vincent's Objection to Confirmation, and the Zokaite Properties Claim Objection were held but not completed. At that time, the Court requested and obtained dates from counsel upon which the hearing could resume. Although Siskind consented to the hearing on the Siskind Claim Objection being continued until July 19, 2010, the Court continued the hearings on the pending matters for June 14, 2010.

11. At the time he represented to the Court his availability for a June 14, 2010 hearing, counsel for Vincent had forgotten that he had previously scheduled a family vacation during that week. Thus, Vincent moves for a continuance of the June 14 hearing until July 19, 2010, at which time the Court has already scheduled a hearing on Vincent's objection to a proof of claim filed by William L. Siskind.

12. No party will be prejudiced by the requested continuance. Siskind has already represented to the Court his consent to continuing the June 14, 2010 hearings to July 19, 2010.

13. Counsel for Vincent discussed with counsel for Zokaite Properties the need to continue the scheduled June 14 hearings, and obtained Zokaite Properties' consent to the requested continuance.

14. Vincent intends to rely upon this Motion without filing a separate memorandum in support of this Motion. However, Vincent reserves the right to file

additional or supplemental memoranda if, in Vincent's opinion, such memoranda will assist the Court in making a determination of the matters raised hereby.

WHEREFORE, party-in-interest Stephen A. Vincent respectfully requests that this Honorable Court enter an Order:

- A. Continuing the scheduled June 14, 2010 hearings until July 19, 2010; and
- B. Providing such other and further relief as the Court determines to be necessary.

Respectfully submitted,

/s/ Gordon S. Young

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of May, 2010, a copy of the foregoing, along with proposed order, was served *via* first-class mail, postage prepaid, and, if the recipients are properly registered, *via* the Court's CM/ECF system, on:

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Jeffrey M. Siskind
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/s/ Gordon S. Young
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